

XMark, Inc., XMark Operating Company, XMark Capital Corporation, XMark Incorporated Muddy Boggy 1 & 2 a/k/a XMark Capital Corporation Muddy Boggy 1 & 2, William Reinhart, Harold L. Hickey

Consent Order

DATE: December 14, 2005

RESPONDENTS: XMark, Inc., XMark Operating Company, XMark Capital Corporation, XMark Incorporated Muddy Boggy 1 & 2 a/k/a XMark Capital Corporation Muddy Boggy 1 & 2, William Reinhart, Harold L. Hickey

ALLEGATIONS: Securities fraud, unregistered broker/dealer or agent, and selling unregistered securities

ORDER: Respondents XMark, Inc., XMark Operating Company, XMark Incorporated Muddy Boggy 1 & 2 a/k/a XMark Capital Corporation Muddy Boggy 1 & 2, William Reinhart, Harold L. Hickey entered into a Consent Order whereby respondents were ordered to cease and desist from violating the Kansas Uniform Securities Act. William R. Reinhart was further ordered to pay \$22,185.73 in restitution to a known Kansas investor. The Commissioner agreed to vacate the original Notice as to respondents Harold Hickey and XMark Operating Company.

Notice to Investors: If you are not a resident of Kansas and have been affected by actions that are similar to those described in this synopsis, you should consider contacting your state securities regulator for assistance. To locate your securities regulator, go to the [North American Securities Administrators Association](#) website. If you choose to contact your state securities regulator, please inform him or her of the action taken by the State of Kansas.